

POLICY

BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS

APPOINTMENT, ASSIGNMENT, TRANSFER, PROBATION, ELECTION TO TENURE, RESIGNATIONS AND RETIREMENTS

I. Purpose

To establish the Board's policies on the appointment, assignment, transfer, probation, election to tenure, resignations, and retirement of employees.

II. Definitions

- A. *Appointment* – An act whereby the Board designates or hires a qualified candidate for a position.
- B. *Assignment* – The act of placing an employee into a position or organization.
- C. *Interim Appointment* – A position that is filled on a temporary basis during the search for a permanent appointment after recommendation by the CEO for Board approval.
- D. *Acting Appointment* – A position that is filled on a temporary basis after designation by the CEO/designee during a period where the appointed employee is absent or in extenuating circumstances.
- E. *Probationary period*
 - 1. *Certificated personnel* – A trial period or condition prior to being granted tenure, as defined in State law.
 - 2. *Non-certificated personnel* – A trial period or condition prior to being granted regular employment status when protections afforded by a collective bargaining agreement begin, as applicable.
- F. *Promotion* – The act of advancing an employee into a higher rank or position.

- G. *Resignation* – The act of relinquishing employment with City Schools, for reasons other than retirement, by providing a formal statement or document to one’s supervisor or Chief Human Capital Officer (CHCO) or designee.
- H. *Retirement* – Withdrawal from employment with City Schools upon meeting the provisions outlined by the Employees’ Retirement System of Baltimore City or the Maryland State Teachers’ Retirement Systems.
- I. *Substitute teacher* – An employee, under the supervision of the school administration, who provides instruction to students in the absence of the regular teacher.
- J. *Tenure* – A status granted to certificated employees upon satisfactory completion of a probationary period, as defined in State law.
- K. *Transfer* – The act of moving an employee or position from one organization or cost center to another.

III. Policy Standards

A. Appointment and Promotion

1. Certificated personnel

- a. Upon the recommendation of the Chief Executive Officer (“CEO”) and subject to the provisions of State law, the Board shall appoint and promote all professional assistants of the CEO, principals, and other certificated educational personnel.
- b. The Board shall set the salaries of all certificated educational personnel in accordance with the appropriate collective bargaining agreement.

- 2. Non-certificated personnel – The Board grants to the CEO/designee the authority to appoint non-certificated personnel. The salary of such personnel shall be determined in accordance with the appropriate collective bargaining agreement and/or as established by the CEO/designee.

B. Assignment and Transfer

The CEO/designee shall have the authority to assign and transfer all personnel as set forth in state law.

C. Probationary Period

1. The Board will adhere to probationary periods determined by State law and any applicable collective bargaining unit agreements. Time spent on leave of absence without pay shall not be counted as part of the probationary period.
2. The CEO may recommend that the contract for probationary teachers not be renewed.

D. Tenure

Teachers and certificated educational staff, who have been granted tenure, as defined by state law, may be removed only for cause or as a result of reduction in force. Teachers formerly elected to tenure with City Schools who separate from employment with satisfactory service and return to active service will be required to serve a probationary period as applicable under State laws.

E. Substitute Teachers

The CEO/designee may assign substitute teachers as the needs of the school district require. Salaries for substitute teachers shall be set by the CEO/designee.

F. Interim Appointments

1. The CEO may recommend personnel for Board approval to work in a position on an interim basis.
2. A person appointed to a position on an interim basis shall be appointed only in the absence of a list of qualified, eligible candidates, and the interim appointment shall not exceed one school year.

G. Acting Appointments

The CEO/designee may appoint employees to fill positions on an acting basis if the permanent employee is absent or in extenuating circumstances as determined by the CEO.

H. Resignation or Requests to be Released from Contract

All resignations or requests to be released from contract by all staff members shall be in writing and should be forwarded to the CEO/designee two (2) weeks prior to the date

of withdrawal from service. The annual deadline for certificated educational staff shall be in accordance with applicable state law. Staff members are expected to inform their appropriate supervisor when submitting their resignations.

I. Voluntary Retirement

Consistent with provisions of the Employees' Retirement System of Baltimore City, and the Maryland State Teachers' Retirement Systems, a staff member may apply for a voluntary or disability retirement.

J. Tuberculosis Tests

Maryland State Law prohibits an individual who has tuberculosis in a communicable stage from working in any capacity in any school. Therefore, a school employee may be required to furnish a current certification to the CEO/designee that the employee is free of tuberculosis in a communicable stage when he/she is first hired or at any other time that the Baltimore City Commissioner of Health deems necessary.

IV. Compliance

For all appointments requiring Board approval, the CEO/designee will adhere to the Personnel and Payroll Committee process and provide the Board an agenda of personnel appointments (i.e. PEP agenda) which will be voted on by the Board.

V. Legal and Policy References

A. Legal Authority

§§ 4-101, 4-102, 4-103, 4-303, 4-304, 4-311, 6-201, 7-406, MD. CODE ANN., EDUC.
§§ 3-1301 through 3-1311, MD. CODE ANN., LABOR AND EMPLOYMENT
Collective Bargaining Agreements
COMAR 13A.07.02.01

B. Policy References

Related Board Policies: GBEG, GBEBA, ACA
Replaces Board Rules: 402.02, 402.03, 402.04, 402.06, 402.07, 402.09, 402.10,
405.01, and 405.02

C. Administrative Regulation References

GBEG-RA; GBEBA-RA; GBN-RA; ACA-RA

Sponsoring Officer: Chief Human Capital Officer

Policy History: New Policy, September 11, 2018